

**TOWN OF BEAUX ARTS VILLAGE  
ORDINANCE NO. 264**

**AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE  
ESTABLISHING A BOARD OF ADJUSTMENT AND  
GRANTING POWERS THERETO.**

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS  
VILLAGE, WASHINGTON, AS FOLLOWS:**

**Section 1. Board of Adjustment.** There is hereby created a Board of Adjustment for the Town of Beaux Arts Village. The Board shall consist of five (5) members who shall be appointed by the Mayor and confirmed by the Council. The term of the members shall be four (4) years; provided however, that the first three original members shall be appointed for two (2) years and the original remaining two (2) members shall be appointed for four (4) years.

**Section 2. Reference to Board.** Any reference to the term “Board” in this ordinance or any ordinance hereinafter adopted by the Council shall mean the Board of Adjustment.

**Section 3. Powers.**

- a. The Board shall act as the Town Building Official and issue or deny building permits after considering the recommendation of the individual or firm with which the Town contracts to provide building-plan review.
- b. The Board shall review and decide all variance applications concerning the Building Code or Zoning Code of the Town of Beaux Arts Village.

**Section 4. Meetings.** The Board shall meet on the first Wednesday of the month following the month in which a building-permit application or request for variance is filed with the Town Clerk. Minutes of the meeting shall be recorded and filed by the Town Clerk.

**Section 5. Decisions.**

- a. A decision on a project permit shall be noted in the minutes of the meeting at which the Board makes a decision on the application.
- b. A decision on a variance request shall be in writing and signed by a majority of the Board. The decision shall state:
  - 1. the facts as found by the Board,

2. the rationale for the decision, including facts establishing that the applicant has satisfied all requirements for the granting of a variance **OR** facts establishing that the applicant has not satisfied all requirements for the granting of a variance, and
3. the decision to grant or deny the variance.

**Section 6. Appeal.**

- a. Any person aggrieved by a decision of the Board may appeal to the Town Council.
- b. A person seeking review by the Council shall file a written notice of such appeal within 14 days of the date of the decision by the Board.
- c. The notice shall include a statement setting forth the specific grounds for the appeal, including the particular ordinance or provision of the ordinance at issue and the facts that support the grounds for the appeal.

**Section 7. Council Hearing.** The Council shall hear the appeal at its next regularly scheduled meeting provided that there is sufficient time to provide proper public notice as required by law.

**Section 8. Validity.** If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

**Section 9. Effective Date.** This ordinance shall take effect five (5) days after its passage and publication.

**PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE** on the 18th day of March, 1997.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Administrative Coordinator

\_\_\_\_\_  
Town Attorney

I certify that copies of the above ordinance were posted as required by law in the Town of Beaux Arts Village, Washington, on the \_\_\_\_th day of \_\_\_\_\_, 199\_\_.

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Sue Ann Spens  
Administrative Coordinator